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CONSIDERATIONS

ON THE

B I L L S

FOR THE BETTER

RELIEF and EMPLOYMENT of the POOR,

℥c. ℥c. ℥c.

INTENDED TO BE

Offered to PARLIAMENT this Session.

*Æque pauperibus prodest locupletibus æque,
Æque neglectum pueris senibusque nocebit.*

HORAT.

BY THOMAS GILBERT, Esq.

L O N D O N :

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MDCC LXXXVII.

CONSIDERATIONS

ON THE

RIGHTS

OF

THE

PEOPLE

TO

THE

LANDS

AND

WATERS

IN

THE

STATE

OF

NEW

YORK

CONSIDERATIONS

ON THE

BILLS for the better Relief and
Employment of the POOR,

&c. &c. &c.

THE distresses of the poor, and the misapplication of the money raised for their relief, made a very early impression on my mind; and I have at different periods, in the course of more than twenty years since I have been in Parliament, made several attempts to obtain some amendment in the present system of poor laws.

In the year 1765 I presented a bill to Parliament, which I had reason to hope would have remedied the evils complained of. This was to form every county into large districts, composed of a whole hundred, or at least a great number of parishes.

That bill, after much investigation, and receiving considerable amendments, passed the

House of Commons; but unfortunately, from some circumstances unconnected with its merits, it was defeated by the Lords, in a very full House, on a division 66 against 59.

No general bill has been since proposed for the relief and regulation of the poor; but I have, at different times since that period, proceeded, under the sanction of Parliament, to make enquiries, as a ground-work for future proceedings; and, in the year 1776, reports were obtained from a committee of the House of Commons, of the state of the houses of industry and workhouses, established by Parliament, for the relief and employment of the poor in divers parts of the kingdom.

In the year 1782 I made another effort to procure relief to the poor, and to ease the poor rates, which I saw were at that time rapidly increasing; three bills were prepared and presented to the House of Commons for that purpose.

The first, for amending and rendering more effectual the laws in being relative to houses of correction.

The second, for the better relief and employment of the poor; in which provision was made to authorise two or more parishes, if they pleased, under certain terms, to unite themselves, for the purpose of maintaining their poor.

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The third, for amending and rendering more effectual the several laws in being relative to rogues, vagabonds, beggars, and other idle and disorderly persons.

The first and second of those bills passed into laws; but the third miscarried in the House of Commons, in one of its last stages.

The bill concerning houses of correction has had a very good effect, being adopted in most parts of the kingdom, and will be extremely useful in the execution of the plan now proposed.

That respecting the poor was only intended as a temporary expedient, to afford some relief to distressed parishes, until an act upon a more general and extensive plan could be procured; partly from the difficulties of uniting parishes in the mode and upon the terms therein prescribed, and partly from an expectation that some more general, salutary, and comprehensive system would shortly take place, there have been very few instances where it has been carried into execution, or even attempted.

That respecting vagrants has many provisions in it, which may be thought proper to be adopted in the new bill to be prepared on that head.

In the last session I prepared and presented two bills which passed into laws, the one to procure
returns

returns from overseers of the medium expences of the poor, for three years preceding. This was in order to learn whether the grievances still existed, and whether the expences had diminished or increased.

The other bill was for a discovery from the minister and churchwardens of the permanent charities which have been given for the benefit of poor persons in each parish, it being thought proper at the time when the legislature were making provision for the better maintenance and relief of the poor, that they should know what it was the poor were really intitled to, and to see that it was not concealed or embezzled, but regularly applied to their use.

Both these acts passed the last session, and a sufficient number of them, with schedules necessary to facilitate the returns required, were speedily transmitted to the ministers, churchwardens, and overseers of every parish throughout England and Wales, according to the directions of the act.

In consequence of these measures, returns have been made under both acts, and a committee has been appointed to examine and inspect them, who have made some progress in the business, are still sitting, and it is expected will soon be able to state those returns to the House.

These various steps, from time to time, have raised the expectations of the country, and induced them to look up to Parliament for the beneficial consequences proposed by some new regulation.

In this confidence I have ventured again to take up this great subject, on a very general and extensive plan, upon the principle of that which passed the House of Commons in 1765, but with this difference; in that, very large districts were proposed, consisting either of whole hundreds, or of a great number of parishes: upon more mature deliberation, I have thought the great end will be better attained by smaller districts; these will be more adapted to the situation and convenience of country parishes, and will preclude the great expence attending very large buildings; as many of the workhouses, already provided, may serve the purpose, or old deserted mansions (of which there are but too many) may be converted into workhouses, hospitals, &c.

This new plan has been already communicated to the members of both Houses of Parliament, and to the principal acting magistrates in every county, in a small pamphlet, intitled, "*Heads of a Bill,*" &c. which is now reprinted for general circulation. In this interval, while a bill is preparing for Parliament, nearly on the plan stated in the above-mentioned pamphlet, I shall beg leave to call the attention of the Parliament
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and the Public to some considerations that ought to be strongly impressed upon the minds of those who are to decide upon the merits of the intended reform.

Before we enter upon any plan of reform, we should previously consider whether there is any evil, and what it is; and then whether there is any probable remedy, and what that probable remedy is.

Whether the present system for ordering the poor is ineffective or not, need hardly be disputed. The evidence upon that subject is always before us; by day, we see beggars in every street and highway; and we hear of robberies every night. These are facts not to be controverted; they have continued, much in the same degree, for years, and the annoyance seems to be increasing, instead of diminishing. At the same time, it is known, and grievously felt by all householders, that a great proportion of the public burden paid quarterly is for the purpose of removing and preventing those very evils.

These returns have been all examined and abstracted, although the totals in the castings are not yet completed; but from the inspection I have made there is good reason to believe that the medium annual expences within the years 1783, 1784, and 1785, for all the parishes in England and Wales, will be at least half a million annually
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more than they were in the year 1776, after deducting from the sums which compose this new medium the expences on account of the militia, gaols, houses of correction, county bridges, vagrants, &c. paid out of the poor's rates by the direction of an act of parliament, but understood to belong to the county expences, though they were very considerable within the last three years.

It will be observed, that this increase has gradually arisen in the course of nine years; and that, notwithstanding the permanent and occasional charities, which amount to an immense sum, but cannot yet be ascertained with any degree of accuracy, as those returns, which are very voluminous, have not been yet abstracted, and indeed but cursorily inspected.

No inconsiderable sum is expended in the apprehending and passing of vagrants. It appears from a report made to the House of Commons in 1776, that this upon an average was 12,000*l. per annum*. But this sum, great as it is, falls short of that which is laid out in contesting the settlements of poor persons. This, in 1776, was 35,000*l.* The annual expences of parochial litigation make part of the late returns to the House of Commons, but these are not yet prepared for public inspection, and therefore I cannot state the amount of this heavy article of expenditure within the last three years.

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When we see beggary and robbery thus growing upon us, and that the expence of preventing and remedying both, still increases, without producing the intended effect; it becomes a serious concern in the administration of the common weal, that some enquiry should be made into the causes of these evils. So far the rich are interested; who pay for the removal of an annoyance, which, notwithstanding, still remains. But there are other considerations, that have never failed to operate in this country, as powerfully, perhaps, as the former. Our feelings for the sufferings of the poor are daily wounded. At the same time that millions of money are appropriated for their use, we know that thousands are labouring under the severest trials which poverty and disease can inflict; and we reflect, with indignation, that thousands, on the other hand, who ought to earn their daily bread by the sweat of their brow, are maintained out of the poor rate without employment, a reproach to the community and to themselves. This too is at a time when trade and manufactures are in a flourishing, and in a growing state, and every hand might be engaged in some occupation, that would promote the benefit of individuals, and of society.

Such being the present state of our poor, and poor rates, we cannot but be impressed with the necessity of applying our attention to an object of such important concern; and of entering seriously into an examination of the causes that produce
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the evils complained of; whether the system is bad, or whether it is defective only in the execution.

Before we consider the system itself, we should enquire, if it has had a fair trial in the hands of the persons who are intrusted by law to execute it.

The principal officers who are to execute and enforce the present poor-laws, are the *Overseers*, and the *Justices of the Peace*.

The overseers are intrusted with the making of rates and assessments for raising money to maintain and employ the poor; they inspect and superintend the workhouse, and, in short, take upon them the whole government of the poor. It should seem, that much of the good or bad, in the execution of this system, must, in the nature of the thing, depend upon the persons who fill this office; and yet this office is so constituted and disposed, that there appears every prospect of its being ill executed, and hardly a chance of it being properly filled.

Overseers are annually appointed by justices of the peace, according to a sort of rotation among the substantial householders, without any regard to the qualification of the persons nominated. Parish offices are proverbially burthens on those who are so unfortunate as to be liable to them. Imagine then, an honest tradesman or farmer, who is wholly occupied with his own

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concerns,

concerns, appointed against his will to this office; can it be expected, that he would for a whole year sacrifice his private affairs, in order to give up his attention to those of the parish, which bring him neither profit nor honour? Suppose a person who was not engaged in any private occupation, and who would readily bestow his pains and time on parish affairs; these, like other employments, require experience and practice, before they can be understood; and by the time an overseer knows his duty, his year is expired, and he is out of office. If any one was to be asked, whether in a large concern of his own, to superintend and *oversee* a manufactory, or the like, he would prefer a person distracted with his own affairs as the former of these persons, or, when he had fortunately got a diligent and attentive officer, he would change him every year; he would hardly think you meant to put a serious question. And yet this is the plan upon which so extensive a concern as that of the poor is now managed.

In these two descriptions of persons, I have chosen favourable instances; a parish is fortunate, when it has overseers that do neither good nor harm, or such as attempt, though feebly, to do good. I am afraid many of these officers are such as are studious to obtain their situations, in order to convert them to their own advantage, or that of their friends. The feeding and clothing of the poor is a source of great patronage; the occasional

sional buildings and repairs, the appointing of inferior officers and retainers about the poor-house, not to mention the petty importance which some think they derive from this office, are, in populous places, circumstances of great moment with the description of persons of whom we are speaking. When such persons are overseers, I will not deny they may discharge their office with diligence, and even with knowledge (for such people seldom want either); but it is easily conceived, whether the parish will be gainers by the administration of affairs in such hands. I would not be understood, however, to apply this to all overseers; for, in some parishes, the office is executed by gentlemen, respectable tradesmen, and farmers, with zeal and fidelity; but in general by such as fall under the descriptions I have alluded to *.

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* The character of an *active* overseer is thus delineated by Dr. Burn, who was well acquainted with parish concerns, and with whom Mr. *Gilbert* had much correspondence upon the subject:
 “ In practice, the office of an overseer of the poor seems to be
 “ understood to be this: To keep an extraordinary look-out, to
 “ prevent persons coming to inhabit without certificates, and to
 “ fly to the justices to remove them; and if a man brings a cer-
 “ tificate, then to caution all the inhabitants not to let him have a
 “ farm of 10 l. a year, and to take care to keep him out of all
 “ parish offices; to warn them, if they will hire *servants*, to
 “ hire them half yearly, or by the month, by the week, or
 “ by the day, rather than by any way that shall give them a
 “ settlement; or if they do hire them for a year, then to en-
 “ deavour to pick a quarrel with them before the year’s end,
 “ and so to get rid of them: To maintain their poor as cheap
 “ as possibly they can at all events; not to lay out two-pence
 “ in

If overseers have all this sway in the raising and disposal of the parish money, it seems highly reasonable

“ in prospect of any future good, but only to serve the present
 “ necessity : To bargain with some sturdy person to take them
 “ by the lump, who yet is not intended to take them, but to
 “ hang over them *in terrorem* if they shall complain to the
 “ justices for want of maintenance : To send them out into the
 “ country a-begging (for why cannot they go, as well as others
 “ they will mention, who are less able in body? and the
 “ feeblest they are, the more profitable will be their peregrina-
 “ tion) : To bind out poor children apprentices, no matter to
 “ whom, or to what trade, but to take especial care that the
 “ master live in another parish : To move heaven and earth
 “ if any dispute happens about a settlement ; and in that parti-
 “ cular, to invert the general rule, and stick at no expence :
 “ To pull down cottages : To drive out as many inhabitants,
 “ and admit as few as possibly they can ; that is, to depopulate
 “ the parish in order to lessen the poor rate : To be generous
 “ indeed, sometimes, in giving a portion, with the mother of
 “ a bastard child, to the reputed father, on condition that he
 “ will marry her ; or with a poor widow (for why should she
 “ be deprived of the comforts of matrimony ?)—always provided
 “ that the husband is settled elsewhere : Or if a poor man, with a
 “ large family, appears to be industrious, they will charitably
 “ assist him in taking a farm in some neighbouring parish,
 “ and give him 10 l. to pay his first year’s rent with : And if
 “ any of their poor has a mercantile genius, they will purchase
 “ for him a box, with pins, needles, laces, buckles, and such
 “ like wares, and send him abroad in the quality of a petty
 “ chapman ; with the profits whereof, and a moderate knack
 “ at stealing, he can decently support himself, and educate his
 “ children in the same industrious way. — But to see that the
 “ poor shall resort to church, and to bring their children there
 “ to be instructed ; to contract with a master, that he shall
 “ procure his apprentice at proper times to be taught to read or
 “ write ; to provide a stock of materials to set the poor on
 “ work ;

sonable that there should be an account, and a controul somewhere; and this is placed in a *justice of peace*, the other officer, upon whom the execution of the poor laws is to depend. But this passes, in general, as a matter of mere form. It is true, the overseer, as directed by law, submits his account to the inspection of the parishioners, in vestry; this, however, being left to the whole parish, is rarely undertaken by any. Afterwards the overseer *swears* to his account; and the justice passes and signs it, as a thing of course, without any examination of the items. It is also requisite, that a justice should allow the rate made by the overseer; but this is only a ceremony, and consists merely in fixing his name to it; which, indeed, is the utmost the law requires of him, as it has been held he only acts *ministerially*.

In such a manner, and by such instruments, are the poor-laws executed, the sum of two millions of money expended, and the maintenance and employment of thousands, and hundreds of thousands, directed, and carried on.

If the waste and mismanagement in the business of the poor is to be accounted for in this

“ work; to see the aged and impotent comfortably sustained;
 “ the sick healed; and all of them cloathed with neatness and
 “ decency: These, and such like, it is to be feared, are not
 “ so generally regarded, as the laws intended, and the necessity
 “ of the case requires.”

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way, it should seem that the defect is partly in the persons, and partly in the laws; or, perhaps, wholly in the laws, which provide such a description of officers as, from the nature of the thing, must be inadequate to the design of their appointment. The present system of poor laws takes its rise from the stat. 43 Eliz.; and the appointment of overseers, with the controul of the justices, as just mentioned, is derived from that very statute; as is also the present method of providing for the poor by parishes and parochial assessments.

To break in upon a system, that has prevailed almost for two centuries, will no doubt appear to many a bold and hazardous measure; but surely we need have no more reverence for the establishments of our great-grandfathers than *they* had for those of their fathers. In the present case, we find the stat. 43 Eliz. was substituted in the place of other systems; that it has not the privilege of a law uninterruptedly applauded as complete and adequate, but, on the contrary, has left room for speculatist after speculatist to form new theories for regulating the poor: and therefore, if length of time is to have any weight, perhaps the complaint of two centuries of experience and practice is a much greater testimony against the present system, than any that could be brought against the former laws, which, in a few years, were repealed or neglected, before an experiment had been made of their effects. If an authority

was wanting, there is one of the highest kind, upon the article of parish law, delivered from the oracle of that court where all parochial litigations receive their final decision. It has been over and over again said by Lord Mansfield, that the stat. Car. 2. which authorises the appointment of overseers in townships and villages, because, by reason of the largeness of some parishes, they could not reap the benefit of the stat. 43 Eliz. was founded on a *mistaken policy, for the divisions should rather be enlarged than diminished**; plainly intimating, that several parishes ought rather to be united, and incorporated, for the purpose of better providing for the poor. This principle of uniting parishes has been adopted by the legislature, in the late acts passed for incorporating hundreds, as before mentioned.

But a greater authority even than this, the voice of time and experience, has shown incontestibly, that such a system as that in whose favour this excellent and distinguished magistrate has given his opinion, and such a one as is directly the reverse of that prescribed by the stat. 43 Eliz. will more certainly answer the great purpose of maintaining and employing the poor, with comfort to themselves, and with œconomy and ease to those, who are to bear the burden of contribution, regulation, and superintendence.

* Burr. Mansf. 1610.

In the counties of Norfolk and Suffolk, they have adopted the policy of uniting parishes; sometimes a whole hundred, sometimes two hundreds: in some the incorporation consists of 46 parishes, in others of 35, 28, 41, 33, 24, 28, 27, and 20. Most of these incorporations were begun at the same time, under statutes passed in 4 Geo. 3. The poor of these parishes are collected into one common house; they are under the government of *guardians and directors*, who are chosen from amongst themselves by the most respectable gentlemen of the country, having a certain qualification of estate. These persons take on them the business of making rates and assessments, of feeding, clothing, providing for, and employing the poor; the overseers are reduced to mere collectors of the rates, for which they are accountable to the guardians and directors. These incorporated parishes were, by the act of incorporation, bound down to the level at which the poor rates stood, upon an average of three years, when the institution began. At the distance of ten years from their first establishment, it appeared, by a report made to the House of Commons in 1776, that they were enabled to pay the interest of large sums of money, which they were obliged to borrow for the building of workhouses, and to discharge some thousands of the principal, though the rates continued as before.

The hundreds of Clavering and Loddon in Norfolk were incorporated 4 Geo. 3. They consist

list of 41 parishes. The poor rate in 1776 amounted to 2358*l.* 17*s.* 6*d.* The medium of the years 1783, 1784, and 1785, was 2257*l.* 18*s.* 7*d.* so that they are decreased 100*l.* 18*s.* 11*d.* after paying the interest of money borrowed, and part of the principal. The fourteen following parishes are the nearest adjoining to this incorporated district, taken from the map—Shottesham, Saxlingham Thorpe, Hardwick, Saxlingham Nethergate, Framlingham Pigot, Framlingham East, Hempnall, Houlston, Cantly, Rockland St. Mary, Earsham, Simpenhoe, Redham, and Stoke Holy Cross. The poor rate of all these parishes put together was, in 1776, 1643*l.* 6*s.* 8*d.* The medium of the years 1783, 1784, and 1785, was 1993*l.* 1*s.* 5*d.* so that the rates are increased 349*l.* 14*s.* 9*d.* All this appears by the late returns made to the House of Commons.

The hundreds of East and West Flegg in Norfolk were incorporated in 15 Geo. 3. 1776. They contain 20 parishes. The poor rate in 1776 was 1423*l.* 3*s.* 3*d.* The medium of the years 1783, 1784, and 1785, was 1344*l.* 8*s.* 5*d.* so that they had decreased 78*l.* 14*s.* 10*d.* after paying the interest and part of the principal. The following seven parishes are the nearest adjoining to this incorporated district, taken from the map—Tunstall, Acte, Upton cum Fishley, South Walsham, Potter Higham, Ludlam, Horsey. The poor rate of all these parishes, when put together, was,

in 1776, 831*l.* 1*s.* 4*d.* The medium of the years 1783, 1784, and 1785, was 1085*l.* 5*s.* 4*d.* so that they increased 254*l.* 4*s.*

The hundreds of Saunditch and Milford in Norfolk, containing 50 parishes, were incorporated 15 Geo. 3. 1776. The poor rate was then 5225*l.* 5*s.* 3*d.* The medium of 1783, 1784, and 1785, was 4319*l.* 12*s.* 1*d.* so that it is now 905*l.* 12*s.* 4*d.* less than when the incorporation took place, after paying the interest of money, and part of the principal. The following 20 parishes are the nearest adjoining to that incorporation, taken from the map—Toft Trees, Spote with Palgrave, Billingsford, Neeton, Twyford, Bintrey, Castle Acre, Byburg Magna, Gayton Thorpe, Lyng, Gayton, Rilough, Carbroke, Coston, Weston, Welborne, Runhall, East Bradenham, Barnham, Broome Ringland. Their joint poor rate, in 1776, was 1824*l.* 8*s.* 11*d.* The medium of 1783, 1784, and 1785, was 2076*l.* 2*s.* 6*d.* so that upon the whole it is now increased 251*l.* 13*s.* 7*d.* The same will be shewn in many other instances as soon as the like calculations can be made upon the remainder of the returns to the House of Commons. These are demonstrations of the comparative merit of the regulations under the new system in point of expenditure.

To these instances of incorporations in country parishes we may add one in a large town. Six

parishes in the town of Shrewsbury were united in 1784. They borrowed 6000 l.; the interest of which, and paying part of the principal, have been a very considerable article of the yearly expenditure; notwithstanding which, it appears by a publication, by the directors of that district, dated 23d January 1787, that the savings have so much diminished the annual expences, that the poor rate is reduced above one third. There is also reason to believe, that the poor in the incorporated parishes are much better maintained, more happy in themselves, and more useful to the public, than in other parts.

It might perhaps, as a theoretical speculation, without this experimental testimony, be pronounced, that such large districts would most probably produce the advantages here experienced. The united counsels of many persons of consideration, with permanent and experienced officers, are most likely to produce wise and good management. The necessities of the poor can be supplied at less expence, they can be accommodated with one common building, and a less number of fires and of officers; provisions are bought cheaper in large quantities; the labour of the poor is likewise more easily rendered productive; raw materials will be bought in greater quantities, and therefore cheaper, and a great number of hands may carry on an extensive manufacture, which would languish and decay in a small parish workhouse,
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even with the best endeavours to encourage and support it. Besides that, none of these objects can be attained by the slender funds of small parishes.

The superiority and excellence of a government, and superintendence like this, is demonstrated from the numerous hospitals for sick and wounded, which are managed by permanent officers, under the immediate direction and government of the benefactors themselves; and are, accordingly, as I believe is generally admitted, conducted in the best manner possible, both as to œconomy and regulation.

Thus have we the authority of experiment to pronounce, that the concern of the poor may be managed with more effect, and with less expence, upon a plan differing from the present, under the conduct of parish overseers, and the formal controul of justices of the peace: and this authority of facts ought, in the minds of all persons who think impartially, to turn the balance against volumes of statutes, whether made in the last year or the last century. But those gentlemen who venerate institutions because they are old, and laws because made by our ancestors, may, in addition to arguments from reason and experience, be gratified with some in their own way. There is a precedent in the history of our poor laws, for taking this liberty with the office of overseer, which shews, that the late reformati-
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by forming parishes into districts, and the one now in contemplation, go very little further than to revive the original policy respecting *overseers* and *collectors* for the poor.

The reader should be reminded, that several years anterior to the stat. 43 Eliz. provisions were made by statute for the like purpose of ordering the poor; so that the stat. 43 Eliz. though the foundation of our present system, was by no means the first regulation upon which this branch of police was designed to be established. For more than half a century before, the legislature had been anxiously employed upon this subject; various acts were passed, and repealed, and revived, and altered, during the reigns of Henry VIII. Edward VI. Queen Mary, and Queen Elizabeth. By these the Parliament changed their system more than twice or thrice; their plans were mere experiments; and were most of them deviations from a still more ancient policy, which could not be immediately destroyed, nor the habits, it had introduced, easily eradicated.

It is well known, that the only provision for the poor before the reign of Henry VIII. consisted in casual donations, either from private persons, or from incumbents of benefices, and inhabitants of religious houses, who were bound to distribute in alms some portion of their annual income.

income. Poor persons, unable to maintain themselves by work, were to beg within certain districts, either hundreds, cities, or towns. It was not till the reign of Henry VIII. that they were wholly limited to parishes; which was because the collecting money at the parish church, at times of public assembly there, was the readiest way of raising a contribution for the poor; a practice still retained in the northern part of this island. This collection was however voluntary; no further compulsion being directed by statute, than that the bishop should admonish those who neglected to make donations. For the purpose of these collections, in every parish were appointed *collectors* and *gatherers*, who were to distribute among the poor, according to their necessities. It was not till after they had enlarged their policy respecting the poor, by not only *maintaining* them, but settling them in houses, and *employing* them, that another officer was introduced, under the name of *overseer*. He was to order and direct every thing, both for their maintenance and employment. These offices were afterwards united under the general title of *collectors and governors of the poor*, and afterwards under that of *overseers of the poor*.

The appointment, therefore, of a general *overseer* to superintend the maintenance and employment of the poor, distinct from those who are *collectors* of the rates, is no novelty, but the revival

val of an old regulation, and should, therefore, have some authority with the advocates for our good old laws. If the governors or directors of the poor within a district should appoint an *agent* to assist them in the management of the several parishes within the district, it would come still nearer to the ancient practice.

While we are looking back to the testimony of facts and experience on this great head of police, the maintenance and employment of the poor, we must not pass over unnoticed, the speculations of many good and distinguished persons, who have, at different times, offered schemes of reform, or suggested partial corrections, that, in their minds, would remove the grievances so long complained of. Among these, we find the names of Lord Hale, Sir Josiah Child, Mr. Hay, Lord Hillsborough, Sir Richard Loyd, Mr. Fielding, and Dr. Burn. Whatever difference there may be in the detail of all these plans, they all agree in these particulars; that the maintenance and employment of the poor should no longer remain in the hands of the present overseers; that this concern should not be ordered by parishes, but by counties, by hundreds, or by large districts; and that it should be under the government of gentlemen of fortune. It is so far remarkable, that most of these suggestions were made before the experiment of incorporating parishes had been tried. And since

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this has answered so well in practice, great credit seems due to other reasoning, dependent on the same theory, though not yet carried into execution.

When these facts and considerations are duly weighed, I trust it will be no longer a matter of doubt, whether the poor may be maintained and employed upon a better system than the present. It is not merely upon any speculations of my own that I rest my confidence, and presume, in this manner, to draw the attention of the legislature. What mean to submit to the consideration of Parliament, is only a more general plan, sketched upon principles that have been approved by the highest authorities, and justified by the practice of several years. The outline may not precisely agree with any that have been hitherto proposed; but it aims, equally with them, at the grand principle of *union, superintendence, controul, and permanency of office*, which is supposed to be the decisive remedy for the present defects in the poor laws.

In order to carry into execution the principle of union and incorporation, it is proposed to divide each county into districts. In doing this, it is not meant to confine ourselves to hundreds, which may be as much too large in many cases, as parishes are too small. It is not easy for the legislature to prescribe what number of parishes
should

should be comprized in each of these districts; and to adopt a division, like that into hundreds made 800 years ago, and for far other purposes, would be committing the success of a very important object to mere chance. It is therefore intended, that certain commissioners should be named in the Bill for each county; and that they, as persons best qualified from their residence and knowledge of the country, should prescribe what, and what number of parishes should be thrown into a district. But, as experience has shewn that it is possible to carry this scheme of incorporation too far, it is meant to confine the number in each district to seven, eight, nine, or ten parishes. It is also intended, that all cities and great towns, consisting of more parishes than one, shall constitute a district by themselves; and it is meant to except from this act, the metropolis, incorporated hundreds, and such parishes as are governed by special acts of Parliament, unless they chuse to be taken into the scheme.

The superintendence and controul over the concern of the poor, in these districts, is intended to be placed in the hands of gentlemen respectable for their character and fortune in the county; the persons electing, and those who are elected, being required to have a qualification of estate, which must carry with it some consideration and consequence. In this committee is to reside all the authority, and all the power, which

is necessary to give stability to their counsels, and vigour to their exertions. These counsels, and these exertions, are to be carried into effect by the *overseers*, which are to be appointed, one in each parish, or in more parishes, according to their size and circumstances, by the committee, instead of the present overseers; and by an officer, who is to *oversee* these overseers, and is to be called the *district agent*. Each of these officers is to be chosen for his ability and diligence; he is to bestow all his attention, and all his time, to the duties of his office; he is to give security for a regular performance of his duty; and he is therefore to receive a competent salary.

It is obvious that the execution of the scheme will greatly depend upon these officers, but more especially upon the district agent. Each overseer is to be watchful within his parish, but the district agent is to be awake to the necessities of the whole district. Does any one stand in need of relief? does any want employment? has an industrious man met with an accident that has disabled him from working? are children grown too old to be any longer kept in idleness? has any vagrant introduced himself into the parish, and become an annoyance by begging, or a cause of suspicion, by appearing unemployed? the overseer is to make representation to the district agent; who is to send to the workhouse of the parish or district,

district, or relieve or employ them at home, or direct such other measures as shall appear to him to be right; and the district committee, at their monthly meeting, are to have a report of the whole, and give such further direction as they shall think fit. In cases of emergency, and no other, the overseer may grant relief.

The district agent thus standing between the committee and the overseers, must be the person to give energy to the one, and convey information to the other. He must quicken the activity of the overseers, by making daily inspection himself in some or other of the parishes in the district, and on such occasions will take cognizance of every thing, the same as if overseer of that parish. Every default, every omission, will thus be detected with speed, and no doubt corrected as speedily by officers, who depend on nothing but their merit and character for their places. The actual state of the several parishes, either mediately through the overseers, or immediately through the district agents, will never fail of being reported at the monthly meeting of the committee. All this, it would be the stipulated duty of the district agent and overseers to execute; but it is hardly to be believed that all the gentlemen of the committee would rest content with such information as they received at their monthly meeting; it is probable most of them will occasionally take a view of some of the

the parishes in the intervals of their meetings, and so enable themselves better to judge of the reports made by their agent and the overseers. Indeed, it will be the duty of the district agent to consult any of the committee at all times in cases of emergency. The overseers would perhaps better execute their office if they were invested with the power of constables within their district, and could thereby become as much a terror to evil-doers, as a protection to the needy and helpless.

The district committee, standing thus upon a vantage-ground, from whence they may ascertain, at one view, the necessities of the whole district, are the proper persons to pronounce what sum of money is requisite for carrying on the maintenance and employment of the poor. A trust so delicate as this cannot be reposed in too respectable hands, and it cannot be placed in safer than those of the committee.

So much has been already said on the grievance of the present rates, that some effectual provision ought to be made in the intended reform to correct it. It is meant that an annual rate shall be settled for each parish, at the medium of the years 1783, 1784, and 1785. This is never to be exceeded, so that the growth of this evil will be stopt at once. It remains for œconomy and management, which the new plan is

to introduce, to diminish it. The proportion of the annual rates of the parishes in the same district will be calculated. When these proportions are ascertained, for which purpose particular directions will be given by the act, they will be a rule for making every rate. The district agent will lay before the committee every quarter, an account of the expences of the last quarter, and a calculation of the sums that seem necessary for the gross expence of the district for the next quarter.

The district committee will report to the county committee (of which we shall speak more particularly presently), that they want this gross sum. Every district committee will do the same. The county committee will put together all these sums necessary for the several districts, and make one aggregate sum. They will then consider the proportion the several districts bear to each other upon the medium of 1783, 1784, and 1785, and will calculate, according to that proportion, what proportion of the aggregate sum should be paid by each district. This proportion they will communicate to the district committee, with an order to levy it; it will then be the business of the district committee to calculate what proportion of this sum is to be paid by each parish in the district, according to the proportion they bore to each other, on the medium of 1783, 1784, and 1785, as before mentioned. The district agent will communi-
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cate this to the several overseers, and require them to levy the rate, to apply it to such parochial purposes as he shall direct; and to pay the remainder to the district agent, to be accounted for.

The proportion each parish is to pay of the rate, at the medium of 1783, 1784, and 1785, will be, at first, precisely the same as its expenditure; but in the changes of things they may alter; the expenditure may become more or less; and, in consequence, while the original proportion of rate continued, an overburthened parish, which should be able to reduce its expences by good management, would not avail itself of that œconomy, but those savings would be distributed through the whole county. To prevent this going to a length that would be unjust, it is intended every three years to calculate the distinct expences of every parish, and then fix a new proportion of rate on each, according to the true proportion of expenditure; the same must, in like manner, be done with respect to each district.

The poor rate thus arranged, as every part of the county will participate of the burdens in the proportion of the mediums so to be taken from time to time, will of itself extinguish the jealousies that are now harboured, and the litigations that are now carried on with so much spirit about the settlements of paupers: No parish, however,
will

will be wholly negligent and indifferent about such expenditure as depends upon themselves, for as the expences are lowered, they may look forward to the end of the three years, when the proportion of their rate will also be lessened.

Another concern, which is now wholly parochial, and at once the cause of distress to the poor, and of litigation between parishes, will in a similar manner be made partly a county, and partly a parish concern. All *casual poor* are to be relieved in the place where they become necessitous. By *casual poor*, is meant, all who have not been resident 40 days, and have a certificate from some district agent, testifying they have left their place of residence for better employment. Those who have resided 40 days are to be deemed *parishioners*. Those who have not, and have no certificate, are to be deemed *vagrants*. The district agent is to keep a separate account of such charges, and deliver them to the county committee, who are to provide for them among other county expences, in the manner we shall presently consider.

Such is the caution with which money is to be levied for the purposes of the poor. It is upon the representation of the overseers and district agent, who are more immediately acquainted with the causes of expenditure, that the district committee declare the sums to be raised. The ex-

penditure of this money is through the hands of the district agent, or the overseers subject to his inspection. The district agent is to account to the district committee, who are persons of such a description, as when called upon to superintend a public trust, like this, will never fail of making the account of their own officer both real and rigid; a very different controul from that of a justice of peace, and the parishioners, over the present overseers, as before represented.

The most usual office of the *county committee*, who are to meet once a quarter, is this of putting the poor rates of every district in a course of being levied. Another trust of a very extensive nature is to reside in the county committee, but this will be executed only on certain occasions, as circumstances may require or admit. If it is thought necessary or convenient in any county to erect schools or hospitals for the use of all the districts in the county, to carry on the education of poor children, or to maintain the sick and diseased, with more ease, or to better effect than in any district or parish workhouse, the county committee are authorised to set on foot such institutions. To defray these expences, they will, at the time they settle the proportions to be paid by each district for the parish poor, adjust the proportion to be paid by each district for the casual poor, building of schools, hospitals, and other such like county works; and the district agent will add this to the sum to be raised for the parish

parish poor in the district, proceed to make his proportions, and to levy the whole; and out of such whole, to pay the sum required by the county committee, for county purposes, to their treasurer. It is to be remembered, that these county purposes relate wholly to the poor; the present county rate, county treasurer, and the county works of building bridges, &c. &c. remain all as they are. The county committee are likewise to enquire into the application of public charities, and take legal steps for the recovery or establishment of such as are with-held or wasted.

Such is the plan of union and superintendence, and such are the persons who are to direct, and the permanent officers who are to execute it. With such a system, and such instruments, there seems the best hope that every evil now complained of will be effectually removed, and the poor be relieved and employed, as they ought to be in a wise and well-regulated state.

Instead of overseers, distracted with their own affairs, ignorant of parish concerns, not qualified to chuse employment for the poor, to manage any public work or manufacture, to apprentice, to educate the young; ill disposed to relieve the impotent and infirm; always plotting the removal of some pauper; partial in the distribution of relief; as wrong in the saving as the expendi-

tute; and after all, going out of office at the year's end, without any account for so many omissions and commissions, because the justice of peace who is to pass the account can, at most, only hear objections to it, and the parishioners, who should make such objections, are like the overseers, too much employed in their own affairs to engage in such a proceeding, unless stimulated by malice or party resentment. Sometimes, indeed, all enquiry is baffled by the sudden absconding of the party, with a sum of parish money. Instead of this picture of negligence, waste, and speculation, we see in the district agent and new overseers, officers recommended by particular qualifications, that fit them for their situations, and a security given that they shall discharge their duty, and make due account; the affairs of the poor are *their* affairs; it is their business, their constant employment; their honour, their subsistence, the guarantees of their securities are engaged for the service of the district, and of every parish in it. They are also under the eye of the district committee, not only at the monthly meetings, but through the whole year; these gentlemen, who give their time and trouble to the service of the district, being persons too of consequence, and some of them of rank, may be trusted for not suffering persons approved, retained, and employed by them, to be negligent in the discharge of their office, but would act as every one does with an unprofitable servant, dismiss him from his place.

If the officers upon this new plan are so much more likely to discharge their duty, the union of parishes, and the adjustment of the rate, seem likely to produce equal benefit, not only to those who contribute, but to those who are the objects of contribution. Instead of a poor rate increasing every year, instead of the expence of summons, warrants, and orders by justices of the peace, the journies of attornies about the country to justices, removals and subsequent litigations about settlements, numberless contests between parishes, all of which are inherent in the present system; instead of these, the poor rate is never to be raised beyond the medium of the years 1783, 1784, and 1785. The rate and support of the poor will be so much a county, as well as parochial concern, that little temptation, if any, will be left to draw forth the spirit of parochial contention. When the infirm poor shall casually want relief, there they are to receive it, either from the overseer or district agent, without sending or travelling miles to get the order of a justice of peace; and we shall never more hear of paupers hurried out of a parish during the acute pains of sickness, and even *in articulo mortis*, to save the expence of a parish burial.

The advantages I have been just recapitulating are such as appear to me necessary consequences of the plan; and so far it may be said to execute itself. If these alone can be attained,
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a great reformation would speedily be effected in the concern of the poor; but we must not stop here. Having thus established able instruments, and sufficient means, we must say something upon the *end* they are to answer—the *relief and employment of the poor*. This is the object of all the various laws which the legislature have been making for many centuries, and which have only differed in ordaining different means and measures. This great effect and consummation of all our labours on this article of police, constitutes a subject of much investigation, through infinite particulars, and might lead to a longer detail than would be either useful or necessary on the present occasion. Indeed, after all the pains that can be bestowed on it, the relief and employment of the poor is a matter of practice, and not of precept: it depends upon the officers who are to direct and superintend; and the chief security for the due attainment of it rests upon the choice of those officers, and of those superintendents. Such good and faithful servants, having proper authority, will easily find out the means to attain the end of their appointment; judging according to the situation and circumstances of the parish or district, the prevailing habits of the people, the usual occupations of labouring persons, and numberless other considerations, which cannot be directed by any general law, though they may, perhaps, by one made for a local purpose.

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However, notwithstanding the difficulty of laying down general rules to bind absolutely in such cases, there are certain principles in this system, as in all others, that may operate universally, and ought, no doubt, to be kept in view by all who take a part in executing any regulations respecting the poor.

The good sense of our ancestors had early discovered, that the *relief* of the poor was not the only policy to be pursued, but that the *employment* of them was equally expedient, and indeed more so because they were thus enabled to relieve themselves. These two objects go hand in hand in all the old statutes; and it should be remarked, that the employment is generally placed first, as if the more important concern. The statute of Queen Elizabeth, which has prescribed parishes as the means and mode for regulating the poor, and is on that account questioned by us, has however marked out the *end* of that regulation with justness and wisdom. The overseers are directed to make a rate, in order to raise a convenient stock of flax, hemp, wool, thread, iron, and other ware and stuff, to set the poor on work; and also competent sums for the necessary relief of the lame, impotent, old, blind, and such other among them, being poor, as are not able to work; and also for the putting out poor children apprentice (stat. 43 Eliz.). Those who are able to work, are to be employed; those who are disabled by infirmity of body,

body, are to be succoured; and those disqualified by tender years, are to be educated in a way to maintain themselves by labour. The interests both of the present generation, and the rising one, were thus consulted; but, owing to their being placed in improper hands, we are reduced, at the distance of two centuries, to begin again, by transferring these sacred trusts to persons who will be truly *guardians* of the poor and helpless.

In the reign of Elizabeth, the design was, as we see by this statute, to employ the poor at their own homes: this continued through greater part of the last century, when they begun to build workhouses for their reception; and for these last 60 or 70 years, this method has been wholly substituted to the other: so that overseers are unwilling to give a small assistance to persons at large, but wish rather, by an obstinate refusal, to compel them to come into the workhouse; by which improvident conduct a whole family is often made a burden to the parish, who perhaps only wanted some addition to their own earnings, or at most a temporary support. Unfortunately, a workhouse, whatever comfort and accommodation it may afford, is, in general, regarded by the poor in no favourable light. The separation from their families, or from society, with the natural abhorrence of restraint, induce the poor to trust to any pittance, and any chance, rather than resign their liberty. It is therefore
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beyond a doubt, that multitudes of wandering beggars are only employed in maintaining their freedom against the contrivances of their parish officers; they accordingly may be found in any parish but their own, and seldom return thither but in the custody of a constable.

It deserves therefore very serious consideration, whether the inclinations of the poor, in this particular, may not in some degree be in consonancy with the true policy that should be observed in their concerns; and whether it is not as unwise, as it is cruel, to break through all the connections of life, and shut part of a family up in a workhouse, without first trying whether they may not be equally useful to themselves, and society, at their own homes. If the plan of relieving and employing the poor at their own habitations, was found ineffective; and if the substituting of workhouses, which was to remedy the evil, though a great improvement, has still left one of another sort, there remains a third, and the only course; and that is, to try a mixture of both. Different objects, different situations, different employments, will direct when the district agent may relieve, or set to work, a person at his own home, and when he should send him to the workhouse. The interest of the parish, and the comfort of the individual, should be consulted according to the occasion: it being always to be remembered, that, with all our plans for good ma-

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nagement, the effectual relief, maintenance, and employment of the poor is never to be cramped by ill-placed œconomy; which would be sacrificing the *end* to the *means*, and disappoint the whole scheme of beneficial regulation.

With respect to workhouses, it will also depend on situation and circumstances, whether a district is to be accommodated with one large workhouse for all the parishes, or with two or three smaller ones; or whether it should be content with such as are now to be found in most parishes. This must depend on these considerations: Whether a great manufactory can be carried on in that part of the country, and whether it would be worth while to attempt such an undertaking as would lead to a great expence.

Where the scheme of employing persons at home is found to answer, a less place will accommodate all those who are proper objects for a workhouse. Indeed the hope is, that all endeavours will be used to employ people out of the workhouse, not only as contributing to the health of the poor, but because this scheme will be attended with less danger of misapplication and mismanagement under the eye of the district agent, than it would under that of the present overseers. Not only employment but relief out of the workhouse might be administered by the district agent in a manner that would answer the purpose

purpose of œconomy, as well as good government. Seasonable relief to a sick family may save the expence of keeping the whole for years: children early taught to work, and trained to habits of industry, may help to assist their parents when past labour, and take off part or all of the parish burthen. To time these occasional helps, and thus save money to the parish, and add to the number of useful subjects, depends on the watchfulness and good sense of the district agent, and his assistants the overseers, and the public spirit of the district committee.

When resort at last must be had to a work-house, it should be submitted to such arrangement and discipline as to make it really justify its name. The regulating the interior of houses of industry and houses of correction is now a favourite article of discussion, and has been not only canvassed in writing, but schemes of admirable utility and benevolence have been carried into execution in various parts of the kingdom. As it is not proposed, by the present plan, to do more than promote the establishment of the best of them, wherever such houses are to be erected, I shall say nothing more upon that head. It may, perhaps, be proper to add to the intended act a schedule of such general regulations as may be thought more absolutely necessary, and have been shewn by experience to be most useful.

It seems unnecessary to enter further into the detail of a system for the relief and employment of poor. What I principally wished was to account for the defects of the present establishment, and to support one that, I hoped, would cure those defects, and produce the execution of that, which all our general laws, by various methods, have been aiming at in vain. I trust I have not been unsuccessful in this attempt. I pretend to nothing but plain, fair reasoning upon unquestionable facts; and I hope I shall be justified in the confidence, that what has had a good effect in some counties may be likely to produce the same good effects in the whole kingdom, especially when further improved by suggestions founded on later experience.

The other parts of the general plan, which I have stated in the *Heads of a Bill*, &c. are more obvious than this which I have been endeavouring to explain and recommend, concerning the relief and employment of the poor. This is certainly the most material of all, being the principal movement, to which the others are only secondary and assistant: this is pointed at as the most pressing evil; but a general scheme for the regulation of the poor I shall never consider as complete without the others. Should the first bill be so successful as to meet the ideas of the best judges, and receive the approbation of Parliament, the others will be taken up in their due order.

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The whole scheme, if executed, would require six acts of parliament.

The first, for the relief, regulation, and employment of the poor, which we have been examining and discussing in the present pamphlet.

A second (which seems a necessary appendage to the first), for raising the casual and contingent fund, mentioned in the *Heads of a Bill, &c.* This is to arise from a tax on dogs, and Sunday-tolls; and, with his Majesty's permission, the forfeitures and penalties now levied before justices of peace, with the fines, amercements, and recognizances taken and laid by justices of peace, or in courts of assize, gaol-delivery, or quarter sessions in each county. See the *Heads of a Bill, &c.* p. 15, 16, 28.

A third, for collecting and digesting into one statute all such provisions in the present poor laws as are proper to be retained, and are not included in that first bill; so that instead of thirty acts of parliament, the whole system of the regulations for the poor may be comprised in the small compass of two acts.

A fourth, is for regulating and reducing the number of alehouses, and to substitute a proper fund to supply the diminution the revenue may thereby suffer. See the *Heads of a Bill, &c.* p. 20, 28, 29.

A fifth,

A fifth, for the more easy recovery of small debts, and for correcting and preventing abuses in inferior courts. See *Heads of a Bill, &c.* p. 21. 29, 30.

A sixth, to revise and improve the vagrant act, 17 Geo. 2. c. 5.

If all these bills are passed into laws; if the clubs and friendly societies which abound in all parts of the kingdom, particularly in manufacturing and populous places, are promoted, and a proper encouragement given to their benevolent designs; if a just application be made of all public and permanent charities, under regulations to be established by Parliament, after the returns to the House of Commons have been completely investigated; an entire new face will be given to the concern of the poor. This would no doubt give fresh spirit to that charity and benevolence, for which this kingdom has always been conspicuous. Persons who have inclination and ability to bestow temporary and occasional relief, will feel encouragement to be frequent and liberal in their charities; when they know, from the regulations which will be produced by these acts, that no impostors can present themselves: they will then select such objects for their charity as they shall know, or shall be recommended to them by friends in whom they confide, as persons of fair character, and reduced

to distress by misfortunes, old age, or infirmities. By the addition of such charities to the provisions before alluded to, the poor will be so completely provided for, that there will be little or no occasion for a poor rate.

Such are the happy effects to be derived from the general plan now offered for the benefit and regulation of the poor, if carried to its utmost extent: the effects are to be wished for equally by the *rich* and the *poor*; and they may be attained in the course of a very few years. The accomplishment of these grand objects of national policy depends on the exertion and union of the great and benevolent characters that adorn this kingdom, whether in or out of Parliament. Without the assistance of the former, such a plan is not likely to be adopted by the legislature; and without the aid of the latter, it cannot be carried into execution with such vigour as to produce all its beneficial consequences.

F I N I S.

